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T.R.A. DOCKET ROOM

December 29, 2004

Hon. Pat Miller, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: *Application of BALSAMWEST FIBERNET, LLC For a Certificate of
Public Convenience and Necessity as a Competing Telecommunications
Service Provider To Provide Competitive Facilities-Based and Resold
Local Exchange and Interexchange Telecommunications Services
Throughout the State of Tennessee.*
Docket No. 04-00407

Dear Chairman Miller:

Enclosed please find the original and fourteen (14) copies of BalsamWest FiberNET
LLC's Response to Data Request issued by the Tennessee Regulatory Authority.

Please be advised that Exhibits 1-5 are **Confidential and being filed under seal.**

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 
Kristy Godsey

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105754-001 12/29/2004

1014332

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December 29, 2004

*For a Certificate of Public Convenience
and Necessity as a Competing
Telecommunications Service Provider
To Provide Competitive Facilities-Based and
Resold Local Exchange and Interexchange
Telecommunications Services Throughout
the State of Tennessee*

Docket No. 04-00407

RESPONSE TO DATA REQUEST

1. Estimated cost of network, switches and unbundled network elements (UNEs).

Response: Please see Exhibit 1 attached hereto. Please note that Exhibit 1 contains proprietary trade secret information and therefore BalsamWest respectfully requests that Exhibit 1 be *filed under seal*.

2. Most recent audited financial statement including Balance Sheet, Income Statement, and Statement of Cash Flow.

Response: BalsamWest is a relatively new entity and has yet to effectuate its first audit. However, BalsamWest can supply the TRA with its Year-To-Date financial information, attached hereto as Exhibit 2. Please note that Exhibit 2

contains confidential and proprietary information. BalsamWest is a privately held company and therefore is not required to make its financial statements publicly available. As such, a disclosure of BalsamWest's financial statements may offer an unfair advantage to competitors, as these statements provide insights into BalsamWest's future strategies, etc. Accordingly, BalsamWest respectfully requests that Exhibit 2 be filed under seal.

3. Please provide a projected balance sheet (3 years).

Response: Please see Exhibit 3 to BalsamWest's responses to this data request. Please note that Exhibit 3 contains proprietary trade secret information and therefore BalsamWest respectfully requests that Exhibit 3 be filed under seal.

4. Capital Expenditures Budget (three (3) years) including equipment to be deployed, cost of equipment, and sources for funding Tennessee network, equipment, UNEs, cash, loan commitments, vendor credit letters, letters of credit, etc.

Response: Please see Exhibit 4 to BalsamWest's responses to this data request. Please note that Exhibit 4 contains proprietary trade secret information and therefore BalsamWest respectfully requests that Exhibit 4 be filed under seal.

5. Is there any special CPE (customer provided equipment) that would not be compatible with the incumbent carrier?

Response: Any equipment that BalsamWest utilizes to interconnect with the incumbent carrier will be compatible.

6. What funding is available to BalsamWest FiberNET, LLC for now and for future use? Please provide a copy of any documents endorsing the funding or any additional resources.

Response: Please see Exhibit 5 – Letters of Commitment from BalsamWest's two members, The Eastern Band of Cherokee Indians and Drake Enterprises, LTD. Please note that Exhibit 5 contains proprietary information and therefore BalsamWest respectfully requests that Exhibit 5 be filed under seal.

7. Please provide a signed and dated Notice of Filing to accompany the Certificate of Service list provided in the application. A sample copy is attached.

Response: Please see Exhibit 6 attached hereto.

8. Please provide information regarding any complaints filed with any state or federal regulatory agency against BalsamWest.

Response: BalsamWest has never had a complaint filed against it with any state or federal regulatory agency.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: Kristy R. Godsey

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EXHIBIT 1

ESTIMATED COST OF NETWORK

CONFIDENTIAL AND PROPRIETARY – FILED UNDER SEAL

EXHIBIT 2

YEAR-TO-DATE FINANCIAL STATEMENTS

CONFIDENTIAL AND PROPRIETARY – FILED UNDER SEAL

EXHIBIT 3

PROJECTED BALANCE SHEET

CONFIDENTIAL AND PROPRIETARY – FILED UNDER SEAL

EXHIBIT 4

CAPITAL EXPENDITURES BUDGET

CONFIDENTIAL AND PROPRIETARY – FILED UNDER SEAL

EXHIBIT 5

LETTERS OF COMMITMENT

CONFIDENTIAL AND PROPRIETARY – FILED UNDER SEAL

EXHIBIT 6

NOTICE OF SERVICE

DECEMBER 29, 2004

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